

### **Title 3—The President**

**Memorandum of April 17, 2003**

#### **Authority to Hold Harmless and Indemnify in Certain Circumstances Under One Contract**

*Memorandum for the Administrator of the United States Agency for International Development*

1. You are authorized for the United States Agency for International Development (USAID) to exercise authority under Public Law 85–804, as amended (50 U.S.C. 1431 *et seq.*), to the same extent and subject to the same conditions and limitations as the head of a department or agency listed in section 21 of Executive Order 10789 of November 14, 1958, as amended, with respect to one contract identified in subparagraph (a) of this memorandum and solely for the purpose identified in subparagraph (b).

(a) The contract is for repair and reconstruction in Iraq and is awarded on or before September 30, 2003.

(b) The purpose is to hold harmless and indemnify with respect to claims, losses, or damage arising out of or resulting from exposure, in the course of performance of the contract to which subparagraph (a) refers, to:

- (i) chemical, biological, radiological, or nuclear weapons, agents, or materials;
- (ii) land or sea mines or similar explosive devices; or
- (iii) unexploded ordnance.

2. The function performed by USAID in awarding the contract to which paragraph 1 refers is a function connected with the national defense. There are currently national emergencies that have been declared by the President in accordance with applicable law. I deem that the authorization provided by paragraph 1 and actions taken pursuant to that authorization would facilitate the national defense.

3. You are authorized and directed to publish this memorandum in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, April 17, 2003.*

**Presidential Determination No. 2003–21 of April 21, 2003**

#### **Presidential Determination Under the Sudan Peace Act**

*Memorandum for the Secretary of State*

Pursuant to section 6(b)(1)(A) of the Sudan Peace Act (Public Law 107–245), I hereby determine and certify that the Government of Sudan and the Sudan People’s Liberation Movement are negotiating in good faith and that negotiations should continue.

### Other Presidential Documents

You are authorized and directed to notify the Congress of this determination and to arrange for its publication in the **Federal Register**.

GEORGE W. BUSH

THE WHITE HOUSE,  
Washington, April 21, 2003.

#### Memorandum of April 25, 2003

### Presidential Determination on Wire Hanger Imports from the People's Republic of China

*Memorandum for the Secretary of Commerce[,] the Secretary of Labor[, and] the United States Trade Representative*

Pursuant to section 421 of the Trade Act of 1974, as amended (19 U.S.C. 2451), I have determined the action I will take with respect to the affirmative determination of the United States International Trade Commission (USITC Investigation TA-421-2) regarding imports of certain steel wire garment hangers from China. After considering all relevant aspects of the investigation, I have determined that providing import relief for the U.S. wire hanger industry is not in the national economic interest of the United States. In particular, I find that import relief would have an adverse impact on the United States economy clearly greater than the benefits of such action.

The facts of this case indicate that imposing additional tariffs on Chinese imports would affect domestic producers unevenly, favoring one business strategy over another. While most of the producers would likely realize some income benefits, additional tariffs would disrupt the long-term adjustment strategy of one major producer, which is based in part on distribution of imported hangers, and cause that producer to incur substantial costs.

In addition, most domestic producers, including the petitioners, have begun to pursue adjustment strategies. While these strategies have included consolidation, modernization of production facilities, and expansion into complementary products and services, domestic producers are also expanding their use of imports. Indeed, a substantial part of the surge in imports during the most recent period measured was brought in by domestic producers themselves, including the petitioners.

Moreover, after 6 years of competing with Chinese imports, domestic producers still account for over 85 percent of the U.S. wire hanger market. With this dominant share of the market, domestic producers have the opportunity to adjust to competition from Chinese imports even without import relief.

Furthermore, there is a strong possibility that if additional tariffs on Chinese wire hangers were imposed, production would simply shift to third countries, which could not be subject to section 421's China-specific restrictions. In that event, import relief would have little or no benefit for any domestic producer.

Additional tariffs would have an uneven impact on domestic distributors of wire hangers. For some distributors, the tariffs would likely lead to some